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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/589,058 | 08/11/2006 | Achim Puettner | 10191/4383 | 5816 |
| 26646 | 7590 | 03/16/2009 | EXAMINER | |
| KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004 | | | IMAS, VLADIMIR | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2839 | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 03/16/2009 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/589,058 | PUETTNER ET AL. | |
| | Examiner | Art Unit | |
| | VLADIMIR IMAS | 2839 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 19 February 2009.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 10,11,13-15,17-19,21-23 and 25-29 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 10,11,13-15,17-19,21-23 and 25-29 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10, 11, 13-15, 17 – 19, 21 – 23 and 25 - 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Evans et al. (US 5,971,806).

Regarding claim 10, Evans et al., fig. 1-6, discloses a removable electrical plug-in connection comprising a connector 10 and a mating connector (not labeled), the mating connector including a first contact element 50 having at least one contact area 51 which is connectable at least in part to the connector, wherein the connector includes at least one clamping element 20, 30 which grips at least in part around a second contact element 23, 33 in its contact position, and this clamping element presses at least a part of the second contact element against the contact area 25, 35 for establishing the electrical plug-in connection, the clamping element configured to fix the at least a part of the second contact element to the contact area.

Regarding claim 11, Evans et al. discloses the clamping element is positioned displaceably within the connector and latches in its contact position.

Regarding claim 13, Evans et al. discloses the clamping element has latching means with which the second contact element latches together.

Regarding claims 14, 15 and 17, Evans et al. discloses the clamping element is designed in such a way that the second contact element is fixed in its longitudinal extension on at least one side of the first contact element at least in part in the contact area.

Regarding claims 18, 19 and 21, Evans et al. discloses the second contact element is pressed against the contact area of the first contact element when the connector, made up of the second contact element, a contact carrier and the clamping element, is closed.

Regarding claims 22, 23, 25 and 26, Evans et al. discloses the second contact element has a sleeve (not labeled) at least in the contact area for compensating different diameters of second contact elements.

Regarding claim 27, Evans et al. discloses the sleeve has at least one contact point on its outer surface which is at a distance from the diameter of the sleeve which comes into contact with the contact area of the first contact element.

Regarding claim 28, Evans et al. discloses the sleeve can be plugged directly onto the end of a cable.

Regarding claim 29, Evans et al. discloses the a removable electrical plug-in connection comprising: a connector 10 including a first contact element 50 and a clamping element 20, 30, the clamping element having an open position and a closed position; and a mating connector (not labeled) including a second contact element 23,

33, wherein the first contact element is movable with respect to the second contact element in a contact area 25, 35 when the clamping element is in the open position, and the clamping element, when in the closed position, fixes the first contact element with respect to the second contact element in the contact area by pressing the first contact element and the second contact element together.

Response to Arguments

3. Applicant's arguments filed on February 19, 2009 have been fully considered but they are not persuasive. The Applicant argues again that "although Applicants have pointed out specific differences between the present claims and the device of Evans et al., the present rejection does not appear to address these arguments, aside from repeating conclusory assertions of what is disclosed and an assertion of similarity." The Examiner respectfully disagrees. In the "Claims Rejections - 35 U.S.C. § 102", Examiner, using the same language as in claims rejects literally all essential subject matter declared as invention. The Applicant does not present essential distinction (details) that make claimed elements to be invention (not only visual difference according to drawings but structural and functional according to claims).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VLADIMIR IMAS whose telephone number is (571)272-8288. The examiner can normally be reached on 8:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, T. Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. I./
Examiner, Art Unit 2839,
3/10/2009.

/T C Patel/
Supervisory Patent Examiner, Art Unit 2839